

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW SULLCROM.COM

125 Broad Street
New York, New York 10004-2498

LOS ANGELES • PALO ALTO • WASHINGTON, D.C.
BRUSSELS • FRANKFURT • LONDON • PARIS
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February 6, 2024

Via ECF

The Hon. Robyn F. Tarnofsky,
Daniel Patrick Moynihan Courthouse,
United States Courthouse,
500 Pearl Street,
New York, NY 10007.

Defendant's application is GRANTED. Documents attached as Exhibits 1 through 7 to the White declaration (ECF Nos. 56, 57) shall remain under seal.

The Clerk of the Court is respectfully directed to terminate ECF 55.

Dated: February 7, 2024
New York, New York

SO ORDERED

ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE

Re: *Thales Avionics, Inc. v. L3 Technologies, Inc.,*
No. 24-cv-112 (JGK) (RFT)

Dear Magistrate Judge Tarnofsky:

On behalf of Defendant L3 Technologies, Inc. (together with its parent, L3Harris Technologies, Inc., “L3Harris”), and in accordance with Rule III.E of Your Honor’s Individual Practices, I respectfully request that the Court permit L3Harris to file under seal certain exhibits attached to my Supplemental Declaration (the “Declaration”) in support of Defendant’s Opposition to Plaintiff’s Motion for a Preliminary Injunction in Aid of Arbitration. In particular, L3Harris seeks permission to file under seal Exhibits 1 through 7 to my Declaration attached hereto.

These exhibits contain confidential and competitively sensitive information that is similar to the materials that this Court has previously ordered filed under seal. (ECF Nos. 36, 40.) L3Harris incorporates and relies on the arguments set forth in its prior letter to seal such material. (ECF No. 30.) The exhibits to the present Declaration contain documents that Plaintiff produced in response to Magistrate Judge Tarnofsky’s order, which permitted Plaintiff to designate the documents “as highly confidential and for outside counsel’s eyes only.” (ECF No. 45.) All of these documents, which consist of confidential communications produced to L3Harris by Plaintiff, are designated “as highly confidential and for outside counsel’s eyes only.” Unlike documents such as a complaint or a motion for summary judgment, these communications are not “highly relevant to the exercise of Article III power” and there is not a strong public interest in their disclosure. *Bernstein v. Bernstein Litowitz Berger & Grossman LLP*, 814 F.3d 132, 142 (2d Cir. 2016).

The Hon. Robyn F. Tarnofsky

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For the foregoing reasons, L3Harris respectfully requests that the Court permit Exhibits 1 through 7 to be filed under seal.

Respectfully submitted,

/s/ Thomas C. White

Thomas C. White

cc: All Counsel of Record (By ECF)